

Notice of Allowability

Application No.

10/732,834

Examiner

Marie Patterson

Applicant(s)

REAGAN ET AL.

Art Unit

3728

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to request for reconsideration and remarks filed 11/16/06.
2. ☒ The allowed claim(s) is/are 1-50, 52, and 127-199.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Marie Patterson
Primary Examiner
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1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Neil Ferraro on 1/9/07.

The application has been amended as follows:

1. (Currently Amended) A boot comprising:
 - a boot body having a lower region adapted to cover a foot of a wearer and an upper region adapted to cover at least a portion of a shin of the wearer, the boot body having a tongue opening disposed in a shin-toe direction and a tongue disposed within the tongue opening, the boot body having medial and lateral sides, with the tongue opening locatable between the medial and lateral sides;
 - a first lacing zone comprising a first lace adapted to draw the medial and lateral sides toward each other to tighten a first region of the boot, the first lace having a portion that is disposed in the upper region; and
 - a second lacing zone comprising a second lace adapted to draw the medial and lateral sides toward each other to tighten a second region of the boot, the second lace having a portion that is disposed in the upper region;
- wherein both the first lace and the second lace are securable in the upper region.

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27. (Currently Amended) A boot comprising:

a boot body having a lower region adapted to cover a foot of a wearer, an upper region adapted to cover at least a portion of a shin of the wearer, and a rear side that faces backward when the boot is worn by the wearer, the boot body having a tongue opening disposed in a shin-toe direction and a tongue disposed within the tongue opening, the boot body having medial and lateral sides, with the tongue opening locatable between the medial and lateral sides;

a first lacing zone comprising a first lace adapted to draw the medial and lateral sides toward each other to tighten a first region of the boot, the first lace having a portion that is disposed in the upper region; and

a second lacing zone comprising a second lace adapted to draw the medial and lateral sides toward each other to tighten a second region of the boot, the second lace having a portion that is disposed in the upper region;

wherein both the first lace and the second lace are securable at a location forward of the rear side.

137. (Currently Amended) A boot comprising:

a boot body having a lower region adapted to cover a foot of a wearer and an upper region adapted to cover at least a portion of a shin of the wearer, the boot body having a tongue opening disposed in a shin-toe direction and a tongue disposed within the tongue opening, the boot body having medial and lateral sides, with the tongue opening locatable between the medial and lateral sides;

a first lacing zone comprising a first lace adapted to draw the medial and lateral sides toward each other to tighten a first region of the boot, the first lace having a portion that is disposed at the upper region;

a second lacing zone comprising a second lace adapted to draw the medial and lateral sides toward each other to tighten a second region of the boot, the second lace having a portion that is disposed at the upper region;

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wherein both the first lace and the second lace are securable at the upper region;
and

an indicator to indicate to the wearer that a lace corresponds to a particular
lacing zone.

160. (Currently Amended) A boot comprising:

a boot body having a lower region adapted to cover a foot of a wearer, an upper
region adapted to cover at least a portion of a shin of the wearer, and a rear side that
faces backward when the boot is worn by the wearer, the boot body having a tongue
opening disposed in a shin-toe direction and a tongue disposed within the tongue
opening, the boot body having medial and lateral sides, with the tongue opening
locatable between the medial and lateral sides;

a first lacing zone comprising a first lace adapted to draw the medial and lateral
sides toward each other to tighten a first region of the boot, the first lace having a
portion that is disposed at the upper region;

a second lacing zone comprising a second lace adapted to draw the medial and
lateral sides toward each other to tighten a second region of the boot, the second lace
having a portion that is disposed at the upper region;

wherein both the first lace and the second lace are securable at a location
forward of the rear side; and

an indicator to indicate to the wearer that a lace corresponds to a particular
lacing zone.

182. (Currently Amended) A boot comprising:

a boot body having a lower region adapted to cover a foot of a wearer and an
upper region adapted to cover at least a portion of a shin of the wearer, the boot body
having a tongue opening disposed in a shin-toe direction and a tongue disposed within

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the tongue opening, the boot body having medial and lateral sides, with the tongue opening locatable between the medial and lateral sides;

a first lacing zone comprising a lace adapted to draw the medial and lateral sides toward each other to tighten a first region of the boot, the lace of the first lacing zone having a portion that is disposed in the upper region; and

a second lacing zone comprising a lace adapted to draw the medial and lateral sides toward each other to tighten a second region of the boot, the lace of the second lacing zone having a portion that is disposed in the upper region;

wherein the lace of the first lacing zone is securable in the upper region to tighten the first lacing zone, and wherein the lace of the second lacing zone is separately securable in the upper region to tighten the second lacing zone.

~~wherein the lace of both the first and the second lacing zones is securable in the upper region to tighten each of the first and second lacing zones.~~

1. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Other useful information can be obtained at the PTO Home Page at www.uspto.gov.

In order to avoid potential delays, Technology Center 3700 is encouraging FAXing of responses to Office Actions directly into the Center at (572)273-8300 (FORMAL FAXES ONLY). Please identify Examiner Marie Patterson of Art Unit 3728 at the top of your cover sheet.

Any inquiry concerning the MERITS of this examination from the examiner should be directed to Marie Patterson whose telephone number is (571) 272-4559. The examiner can normally be reached from 6AM - 4PM Mon-Wed.



Marie Patterson
Primary Examiner
Art Unit 3728